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## ‘As deadly as armed conflict? Gang violence and forced displacement in the Northern Triangle of Central America’

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### ABSTRACT

The flurry of interest around the European refugee crisis, whilst plainly justified, should not have the effect of distracting international attention from equally pressing humanitarian and refugee crises in other parts of the world. As such, this article highlights the extreme nature and scale of gang violence in the Northern Triangle countries of Central America, which has resulted in substantial forced displacement of affected populations. The article argues that, despite certain commonalities with situations of internal armed conflict (such as Syria), the scenario in the Northern Triangle poses a distinct set of additional challenges for ensuring the protection of refugees and displaced persons from these countries. The urgent need to address these challenges in the Americas is no less than for those presented by the current refugee crisis in Europe.

*Keywords:* Europe, Central America, Northern Triangle, violence, gangs, refugees, displacement.

### ¿Tan mortal como un conflicto armado? La violencia por pandillas y el desplazamiento forzoso en el Triángulo Norte de Centroamérica

### RESUMEN

La fascinación que rodea la presente crisis de refugiados en Europa, aunque justificada, no debe desviar la atención internacional de las crisis humanitarias y de refugiados igualmente graves que existen en otras regiones del mundo. Como tal, este artículo destaca la extrema naturaleza y escala de la violencia por pandillas en los países del Triángulo Norte de Centroamérica, la cual resulta en el desplazamiento forzoso de las poblaciones afectadas. El artículo propone que, a pesar de ciertas paralelas con las situaciones de conflicto armado interno (como Siria), el escenario en el Triángulo Norte plantea un conjunto distinto de retos adicionales en la búsqueda de protección para los refugiados y desplazados de estos países. La urgencia de responder a estos retos en las Américas no es menos que para los desafíos presentados por la actual crisis de refugiados en Europa.

*Palabras clave:* Europa, Centroamérica, Triángulo Norte, violencia, pandillas, refugiados, desplazamiento.

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Global attention seems fixed on the mass movement of persons from Syria and other conflict-ridden countries into Europe and the mixed quality of the response by European governments. Yet, despite the political rhetoric from some quarters, the numbers of irregular entries by migrants to the European Union (EU) from 2014 onwards – whilst high in comparison with previous years – represent only a minute fraction of the overall annual total of migratory entries.<sup>1</sup> Nor is this influx the first time that Europe has encountered a mass refugee movement on its territory.<sup>2</sup> Even so, the mass character of this movement and their form of arrival – by land and sea – does generate challenges for certain countries in the region and the EU as a bloc has found itself unable to respond effectively.

Undeniably, the current refugee situation in Europe generates certain interesting political and legal questions about the response by European governments and the EU as a whole. Nonetheless, there is also a risk that an ongoing blinkered focus on Europe risks distracting attention from the real roots of this ‘crisis’. These are to be found in the brutal armed conflict and associated extensive forced displacement in Syria, as well as the extremely challenging situation of many Syrian refugees elsewhere in the Middle East. As a case in point, the most recent global statistics show that Lebanon, a poor country of some four million inhabitants, was hosting 1.15 million Syrian refugees by the end of 2014, more than all of the 28 relatively-prosperous countries of the EU put together.<sup>3</sup>

However, a disproportionate focus on refugees and migrants in Europe not only risks shifting attention away from the serious crises of violence and displacement in the Middle East but also those currently playing out in other parts of the world, where different but no less pressing difficulties in the protection of displaced persons are presently emerging. Indeed, it is no secret that the vast majority of the world’s refugees are actually hosted in countries in the Global South.<sup>4</sup> As such, we must ensure that our attempts to better understand and respond to the mass migration of persons into Europe do not simultaneously diminish our efforts to understand and

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<sup>1</sup> According to the latest figures, the European Agency for the Management of Operational Cooperation at the External Borders of the Member States of the European Union (FRONTEX) apparently detected 170,000 irregular entries in the EU in 2014, but out of a total of 194,716,566 entries in the EU for that year. M. Garlick, ‘Solidarity or self-interest? The EU’s common asylum policy – between politics and desperation’, presentation delivered to the 6<sup>th</sup> Annual RLI Seminar Series on International Refugee Law, at Refugee Law Initiative, University of London, London, United Kingdom, 4 February 2016.

<sup>2</sup> The last occasion when this occurred was during the Kosovo war of the late 1990s and the ensuing mass displacement of affected persons throughout Europe.

<sup>3</sup> UNHCR, *UNHCR Global Trends 2014: World at War*, 18 June 2015, <http://www.refworld.org/docid/558292924.html>, 12

<sup>4</sup> At the end of 2014, 86 per cent of the world’s refugees were located in developing regions. See *ibid.*, 2.

protect equally —or more— vulnerable refugees and displaced persons in other parts of the world.

Towards this end, this article shines a light on one contemporary crisis of forced displacement that is currently unfolding in the Americas. This is the humanitarian disaster provoked by organised criminal violence in the Northern Triangle of Central America, a shorthand for the countries of El Salvador, Guatemala and Honduras. These countries, which suffered large refugee outflows during civil war and political violence in the 1980s, are once again a focal point for displacement in the Americas. The choice of these countries for analysis here speaks not only to the Latin American audience of *Agenda Internacional* but also to the relatively 'hidden' nature of the crisis of violence and displacement in the sub-region of the Northern Triangle in comparison with the refugee situation in Europe (and also).

The analysis in this article builds upon a presentation by the author at the United Nations High Commissioner for Refugees' (UNHCR) 2015 Dialogue on Protection Challenges in order to make three main points.<sup>5</sup> Firstly, it argues that organised criminal violence in the Northern Triangle is 'as deadly as armed conflict', i.e. there is parity here with the root cause driving the Syrian refugee crisis and the ensuing movement into Europe. Secondly, it shows how the epidemic of organised criminal violence is producing high levels of displacement in (and from) some Northern Triangle countries. Finally, it argues that the Northern Triangle situation is worthy of greater international attention not only because of the degree of humanitarian need among the population there but also because the distinctive forms of violence pose vexing challenges for institutions engaged in protection work.

## 1. The Northern Triangle - as deadly as armed conflict?

In the decade between 2003 and 2012, Central America came to hold the dubious distinction of having one of the highest homicide rates of any part of the world.<sup>6</sup> Of course, within Central America, there are countries where the homicide rate has been relatively low, as is the case for example in Nicaragua and Costa Rica.<sup>7</sup> However, the comparative calm of these countries is off-set statistically by the extremely high

<sup>5</sup> The presentation was delivered as part of the UNHCR Americas Bureau panel: 'As Deadly As Conflict: Criminal Violence and its Impact on Displacement in Central America' on 17 December 2015, at the High Commissioner's Dialogue on Protection Challenges: Root Causes, Palais de Nations, Geneva, 16-17 December 2015.

<sup>6</sup> United Nations Office on Drugs and Crime (UNODC), Global Study on Homicide 2013: Trends, Contexts, Data, 10 April 2014, [https://www.unodc.org/documents/gsh/pdfs/2014\\_GLOBAL\\_HOMICIDE\\_BOOK\\_web.pdf](https://www.unodc.org/documents/gsh/pdfs/2014_GLOBAL_HOMICIDE_BOOK_web.pdf), p. 23. This is the most recent comparative study available and uses national data from up to 2012.

<sup>7</sup> *Ibid.*, p. 126. The intentional homicide rate in the decade between 2003 and 2012 averaged around 9 per 100,000 of population for Costa Rica and around 12.75 per 100,000 of population for Nicaragua.

homicide rates in other countries in this sub-region. Indeed, the murder epidemic affecting Central America is concentrated largely in the three countries of the Northern Triangle and, to a lesser extent, Belize.<sup>8</sup> The situation of violence is particularly acute in El Salvador and Honduras, where homicide rates spiralled over the decade between 2003 and 2012 and have reached astronomical levels in the past few years.<sup>9</sup>

Of course, intentional homicide statistics are a rather blunt tool for mapping the general dynamics of violence in any country or region. Most obviously, they do not give a holistic picture of the multiplicity of different and often interlocking forms through which personal and social violence is expressed in the given society. Nonetheless, such statistics are based on relatively verifiable, standardised and easily-recorded official data that are usually collated at the national level.<sup>10</sup> As such, they facilitate the present analysis by allowing certain useful comparisons to be drawn between the recorded levels of this kind of violence in different regions and countries (and even between distinct parts of a single country).

When used for comparative purposes, homicide statistics are usually expressed as the number of intentional homicides per year per 100,000 people in the population (of the country or the part of the country). This allows intentional homicide rates for different countries to be calculated and compared. As a baseline, the global average homicide rate in 2012 stood at 6.2 per 100,000 of population.<sup>11</sup> Moreover, an annual rate of more than 10 intentional homicides per 100,000 of population in any country is usually considered to be epidemic.<sup>12</sup> As comparative examples of countries from North America with relatively low homicide rates, the annual homicide rate in the United States of America averaged around 5.3 per 100,000 of population in the decade preceding 2012 and that of Canada hovered around 1.6 per 100,000 of population.<sup>13</sup>

Against this backdrop, the most recent figures for homicides in the Northern Triangle countries are startling. In 2011, the intentional homicide rate in Honduras peaked at 91.6 per 100,000 of population, which continued a steep upward trend in Honduran murder rates from the mid-2000s onwards that stabilised around at

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<sup>8</sup> *Ibid.*, p. 126. The intentional homicide rate in the decade between 2003 and 2012 averaged, per 100,000 of population, around 56.4 in El Salvador, 41.5 in Guatemala and 65.1 in Honduras (and 31.6 in Belize).

<sup>9</sup> *Ibid.*, p. 126, shows the general upward tendency in the past decade in these countries between 2003 and 2012. See text below for more recent figures.

<sup>10</sup> See *ibid.*, pp. 99-100, for discussion of methodology in the collection and analysis of these data.

<sup>11</sup> *Ibid.*, p. 12.

<sup>12</sup> A homicide rate higher than 10 per 100,000 inhabitants is considered by the World Health Organization (WHO) as an epidemic level. See United Nations Development Programme (UNDP), *Regional Human Development Report 2013-14: Citizen Security with a Human Face – Evidence and Proposals for Latin America, 2013*, [http://hdr.undp.org/sites/default/files/citizen\\_security\\_with\\_a\\_human\\_face\\_-\\_executivesummary.pdf](http://hdr.undp.org/sites/default/files/citizen_security_with_a_human_face_-_executivesummary.pdf), p. 1.

<sup>13</sup> UNODC, *Global Study on Homicide 2013*, p. 126.

the 80 to 90 homicides annually per 100,000, before decreasing more recently.<sup>14</sup> By contrast, whilst El Salvador's murder rates have shown greater fluctuation than those of Honduras between 2003 and 2012,<sup>15</sup> the country registered an extraordinarily high intentional homicide rate of around 103 per 100,000 of population in 2015.<sup>16</sup> Guatemala is less extreme; but it has still seen homicide rates oscillating around the 30 to 40 homicides per 100,000 of population in the decade between 2003 and 2012.<sup>17</sup> No other country in the world presently registers annual homicide rates that even come close to those of El Salvador in 2015.

Even so, the epidemic of fatal violence is not evenly distributed across the territories of these countries. Rather, the murder epidemic tends to be particularly concentrated in particular localities within these countries. So it is that the Northern Triangle countries have been identified in recent years as home to some of the cities with the highest intentional homicide rates in the world. For instance, one study suggests that three of the ten most violent capital cities in the world are located in the Northern Triangle.<sup>18</sup> Another published analysis suggests that between 2011 and 2014 Honduras was home to the city (of over 300,000 inhabitants) with the highest intentional homicide rate: San Pedro Sula, which registered 171.2 homicides per 100,000 people in 2014.<sup>19</sup> In 2015, this same analysis ranked Caracas as the most violent city,<sup>20</sup> although this conclusion was challenged by analysts who argue that San Salvador, El Salvador, was in fact the most violent city in the world in 2015, with 199.3 homicides per 100,000 of population.<sup>21</sup> In some smaller Salvadorian municipalities, a murder rate of over 300 homicides per 100,000 of population has been recorded.<sup>22</sup>

<sup>14</sup> *Ibid.*, p. 126; M. Lohmuller, Honduras Set to Lose Title of «Murder Capital of the World»?, *Insight Crime*, 16 July 2015, <http://www.insightcrime.org/news-briefs/honduras-set-to-lose-title-of-murder-capital-of-world>

<sup>15</sup> UNODC, *Global Study on Homicide 2013*, p. 126.

<sup>16</sup> E. Segura, El Salvador con más homicidios en C. A., *La Prensa Gráfica*, 3 January 2016, <http://www.laprensa-grafica.com/2016/01/03/el-salvador-con-mas-homicidios-en-c-a>

<sup>17</sup> UNODC, *Global Study on Homicide 2013*, p. 126.

<sup>18</sup> N. Mead and J. Blason, The 10 world cities with the highest murder rates – in pictures, 24 June 2014 <http://www.theguardian.com/cities/gallery/2014/jun/24/10-world-cities-highest-murder-rates-homicides-in-pictures>. This draws on statistics presented in UNODC, *Global Study on Homicide 2013*, and is thus limited to figures up to 2012.

<sup>19</sup> Citizens' Council for Public Security and Criminal Justice, For the fourth consecutive year, San Pedro Sula is the most violent city in the world, 20 January 2015, [http://www.seguridadjusticiapaz.org.mx/lib/Prensa/2015\\_01\\_20\\_seguridad\\_justicia\\_y\\_paz-50\\_most\\_violent\\_cities\\_2014.pdf](http://www.seguridadjusticiapaz.org.mx/lib/Prensa/2015_01_20_seguridad_justicia_y_paz-50_most_violent_cities_2014.pdf)

<sup>20</sup> Citizens' Council for Public Security and Criminal Justice, Caracas, Venezuela, la ciudad más violenta del mundo del 2015, 25 January 2016, <http://www.seguridadjusticiapaz.org.mx/sala-de-prensa/1356-caracas-venezuela-la-ciudad-mas-violenta-del-mundo-del-2015>

<sup>21</sup> R. Valencia, La ciudad más violenta del mundo, *El Faro*, 26 January 2016, <http://losblogs.elfaro.net/cronicasguanas/2016/01/la-ciudad-m%C3%A1s-violenta-del-mundo.html>

<sup>22</sup> Fundaungo, *Atlas de la violencia en El Salvador (2009-2012)*, November 2013, [http://fundaungo.org.sv/pdf/2014/Atlas\\_de\\_violencia.pdf](http://fundaungo.org.sv/pdf/2014/Atlas_de_violencia.pdf). Nahuilingo municipality in Sonsonate department in 2009 recorded 303.3 homicides per 100 000 inhabitants (*ibid.*, p. 99).

National homicide statistics, though, exclude direct conflict deaths, i.e. killings caused directly by armed conflict. Even so, we are able to factor in published estimates of direct conflict deaths to give an overall indication of the annual rate of 'violent deaths' in any given country (i.e. intentional homicides + direct conflict deaths, per 100,000 of population).<sup>23</sup> In doing so, we should bear in mind that estimates of direct conflict deaths are not usually official figures and can be difficult to collate and keep updated.<sup>24</sup> As such, they serve to give a general impression of the levels of violent deaths in any country rather than providing the more pinpoint accuracy of many officially-collated national homicide statistics.

Yet, even if we factor in direct conflict deaths, we see that the levels of violent death in the Northern Triangle countries – particularly Honduras in 2012 (and almost certainly also El Salvador in 2015) – remain among the highest in the world.<sup>25</sup> Indeed, such data as are publicly available suggest that in recent years these countries have been second only to Syria in the overall rates of annual violent deaths of any country in the world.<sup>26</sup> As such, the rate of violent death in these Northern Triangle countries exceeds that reported in 2012 for countries experiencing well-known and brutal conflicts, such as Iraq, Afghanistan, Democratic Republic of Congo, etc.<sup>27</sup> Indeed, the average rate of approximately 18 violent deaths per day in El Salvador in 2015 exceeds the average rate of 16 violent deaths per day in that country during the bloody civil war of the 1980s.<sup>28</sup> On the basis of these rates of violent deaths, therefore, Central America was the most violent sub-region in the world in the period between 2007 and 2012, even when direct conflict deaths are incorporated into the analysis.<sup>29</sup>

One important pattern within these statistics is that the victims of the present epidemic of lethal violence in the Northern Triangle countries are mostly children and youths.<sup>30</sup> Indeed, these countries also hold the dubious distinction of registering

<sup>23</sup> See, for example, Geneva Declaration on Armed Violence and Development (GDAVD), *Global Burden of Armed Violence 2015: Every Body Counts*, October 2015, Chapter Two, [http://www.genevadeclaration.org/fileadmin/docs/GBAV3/GBAV3\\_Ch2\\_pp49-86.pdf](http://www.genevadeclaration.org/fileadmin/docs/GBAV3/GBAV3_Ch2_pp49-86.pdf). Note the limitation that the data used in that study is largely only up until 2012 and does not take account of the upswing in violence in countries such as El Salvador in 2015.

<sup>24</sup> For these and other methodological issues, see GDAVD, *Global Burden of Armed Violence 2015*, Methodological Annex, <http://www.genevadeclaration.org/fileadmin/docs/GBAV3/GBAV3-Methodological-Annexe.pdf>.

<sup>25</sup> GDAVD, *Global Burden of Armed Violence 2015*, Chapter Two, p. 58. The current homicide levels in El Salvador are not included in the GDAVD analysis but would place the country in second-ranking, assuming that the situation in Syria and other countries remains equal.

<sup>26</sup> *Ibid.*, p. 60.

<sup>27</sup> *Ibid.*, p. 60.

<sup>28</sup> O. Martínez, Los salvadoreños cruzan fronteras de guerra a diario, *Sala Negra de El Faro*, 4 January 2016, <http://www.elfaro.net/es/201601/salanegra/17702/Los-salvadore%C3%B1os-cruzan-fronteras-de-guerra-a-diario.htm>

<sup>29</sup> *Ibid.*, p. 60.

<sup>30</sup> For instance, figures relating to El Salvador from 2009 to 2012 show consistently that around 86 per cent of homicide victims were male; of whom over two-thirds were between the ages of 15 and 34. Fundaungo, *Atlas de la violencia en El Salvador (2009-2012)*, pp. 33, 37.

the highest annual rates of recorded child/adolescent killings in the world.<sup>31</sup> Yet other sectors of these societies are equally vulnerable to the wave of violence affecting the Northern Triangle, with these countries also reporting the world's highest rates of 'femicides' (brutal killings of girls and women).<sup>32</sup> Violence against persons of diverse sexual orientation/gender identity is equally prevalent.<sup>33</sup>

This brief statistical analysis of the available data thus points to the fact that the countries of the Northern Triangle of Central America are – after the armed conflict in Syria, said to have triggered the worst humanitarian crisis since the Second World War (1939-45)<sup>34</sup> – the most deadly countries in the world today. Indeed, according to the statistics presented in this section, countries such as Honduras and El Salvador are not only *as deadly as* most contemporary armed conflicts but in fact *more deadly than* the majority of the armed conflicts currently taking place across the globe.

## 2. Criminal violence in the Northern Triangle

How, then, do we explain the extraordinary rates of violent death in this small and often-overlooked corner of Latin America? Certainly, there is little doubt that the prevalence of intra-family violence provides the countries of the Northern Triangle of Central America with a high level of background violence.<sup>35</sup> However, the motor driving the dramatic escalation in killings and associated social violence over the past decade in countries like El Salvador and Honduras is the increasing power and violence of organised crime there. This section addresses one current articulation of organised criminal violence in this zone of Central America as the basis for the wave of forced displacement that has ensued.

Of course, the presence of organised crime is not a phenomenon that is exclusive to the Northern Triangle countries but rather can be identified in all societies. Moreover, many different kinds of organised criminal groups exist in the Northern Triangle and

<sup>31</sup> United Nations Children's Fund (UNICEF), *Hidden in Plain Sight: A Statistical Analysis of Violence against Children*, 3 September 2014, [http://files.unicef.org/publications/files/Hidden\\_in\\_plain\\_sight\\_statistical\\_analysis\\_EN\\_3\\_Sept\\_2014.pdf](http://files.unicef.org/publications/files/Hidden_in_plain_sight_statistical_analysis_EN_3_Sept_2014.pdf), pp. 35-37.

<sup>32</sup> See GDAVD, *Global Burden of Armed Violence 2015*, Chapter Three, [http://www.genevadeclaration.org/fileadmin/docs/GBAV3/GBAV3\\_Ch3\\_pp87-120.pdf](http://www.genevadeclaration.org/fileadmin/docs/GBAV3/GBAV3_Ch3_pp87-120.pdf), p. 95.

<sup>33</sup> Inter-American Commission on Human Rights (IACHR), *Violencia contra personas lesbianas, gays, bisexuales, trans e intersex en América*, 12 November 2015, OAS/Ser.L/V/II.rev.1, <http://www.refworld.org/docid/56669c6f4.html>, paras. 279-281.

<sup>34</sup> See, for example, European Commission Humanitarian Aid and Civil Protection (ECHO), *Syria Crisis: ECHO Factsheet*, February 2016, [http://ec.europa.eu/echo/files/aid/countries/factsheets/syria\\_en.pdf](http://ec.europa.eu/echo/files/aid/countries/factsheets/syria_en.pdf)

<sup>35</sup> For instance, in El Salvador, domestic violence is considered one of the leading causes of violence against women. See S. Peñate, *Pandillas segunda causa de violencia contra mujer*, *La Prensa Gráfica*, 13 November 2015, <http://www.laprensagrafica.com/2015/11/13/pandillas-segunda-causa-de-violencia-contra-mujer>

use violence to varying degrees,<sup>36</sup> as do some State institutions and private security entities.<sup>37</sup> Yet the overt increase in social violence is driven primarily by one form of organised crime in particular: the street gangs of the Northern Triangle countries.<sup>38</sup> As an indication of their role in the violence, in El Salvador, official statistics suggest that around two-thirds of the many homicides registered in 2015 were committed by gang members.<sup>39</sup> In other words, we must examine the gangs and their activities in greater detail if we wish to properly understand the dynamics of violence and displacement in the Northern Triangle.

The long history of street gangs in Northern Triangle countries is well-documented, particularly as a source of local identity for neighbourhood youths (as is also the case in many other countries).<sup>40</sup> However, the violence of these early gangs was muted and low-level in comparison with the gangs that operate there today.<sup>41</sup> The gangs of the present day appeared in countries such as El Salvador, Honduras and Guatemala only during the 1990s. They were formed mostly by criminal deportees from the United States of America, who brought the violent territorial gang culture of California with them, a form of association that flourished and grew in the relative absence of a strong State and lack of economic opportunities for youths in these fragile post-conflict countries.<sup>42</sup>

Nowadays, the numbers of active gang members in countries such as El Salvador and Honduras are usually estimated in the tens of thousands.<sup>43</sup> Although robust recent figures are hard to come by, the scale of gang membership is certainly extensive.

<sup>36</sup> S. Dudley, La evolución del crimen y la violencia en América Latina y el Caribe, in D.J. Cantor and N. Rodríguez Serna (eds.), *Los nuevos desplazados: crimen y desplazamiento en América Latina*, ILAS 2015.

<sup>37</sup> See, for example, R. Valencia, O. Martínez and D. Valencia, 'La Policía masacró en la finca San Blas', *Sala Negra de El Faro*, 22 July 2015, <http://www.salanegra.elfaro.net/es/201507/cronicas/17205/La-Polic%C3%ADa-masacr%C3%B3-en-la-finca-San-Blas.htm>

<sup>38</sup> D.J. Cantor, 'The New Wave: Forced Displacement Caused by Organized Crime in Central America and Mexico', *Refugee Survey Quarterly*, No. 33, 2014, pp. 39-42

<sup>39</sup> E. Barrera, FGR: pandillas cometen el 65% de homicidios, *La Prensa Gráfica*, 1 December 2015, <http://www.laprensagrafica.com/2015/12/01/fgr-pandillas-cometen-el-65-de-homicidios?ref=hnp>

<sup>40</sup> C. Martínez and J.L. Sanz, El juego del parque Libertad, *Sala Negra de El Faro*, 17 October 2011, <http://www.salanegra.elfaro.net/es/201110/cronicas/5650/>; Insight Crime/Asociación para una Sociedad más Justa (ASJ), *Gangs in Honduras*, 20 November 2015, <http://www.insightcrime.org/images/PDFs/2015/HondurasGangs.pdf>, p. 3. See also A. Marroquín, Pandillas en el Triángulo Norte de Centroamérica: narrativas y tránsitos, in D.J. Cantor and N. Rodríguez Serna (eds.), *Los nuevos desplazados: crimen y desplazamiento en América Latina*, ILAS 2015.

<sup>41</sup> *Ibid.*

<sup>42</sup> See D. Farah, U.S.-Style Gangs in El Salvador Build Free Trade in Crime, *Washington Post*, 28 August 1995, <https://www.washingtonpost.com/archive/politics/1995/08/28/us-style-gangs-build-free-trade-in-crime/2f6cb1ed-2e82-4fa6-96da-0848f09d827/>

<sup>43</sup> For instance, whilst a 2013 police study estimated there to be 32, 310 active gang members in 567 local gangs in El Salvador, a study by the Ministry of Justice and Security the same year estimated the figure instead at 58,783 active gang members. See J. Santos, Hay 32,310 pandilleros en el país: Antipandillas, *La Prensa Gráfica*, 27 December 2013, <http://www.laprensagrafica.com/2013/12/27/hay-32310-pandilleros-en-el-pais-antipandillas>



El Salvador, a country of some six million people, is reputed to have the highest proportion of gang members per head of population. Thus, the Salvadorian Minister of Defence recently alluded to an unsubstantiated figure of 60,000 gang members, in a country that has a combined police and army of 50,000 officials.<sup>44</sup> For comparison, the largest and longest-running insurgency in Latin America – the *Fuerzas Armadas Revolucionarias de Colombia-Ejército del Pueblo* (FARC-EP, Revolutionary Armed Forces of Colombia-People's Army) – is estimated in recent years to have only around 8,000 active combatants (down from a high of perhaps 30,000 combatants at its peak in the early 2000s) in Colombia, a country of almost fifty million inhabitants.<sup>45</sup>

The present-day violent street gangs of El Salvador, Honduras and Guatemala tend to be localised in particular zones, mostly poor urban areas but increasingly also in rural zones.<sup>46</sup> They pursue (and sometimes dispute) exclusive control of these small territories – often not more than a few contiguous neighbourhoods – where they dominate the population and impose their own rules.<sup>47</sup> They achieve such social control through violence and the ever-present threat of violence, with those residents who are perceived as resisting their authority killed by the gangs.<sup>48</sup> The gangs also dominate the local criminal economy in these zones, including drug-dealing and hired assassinations. However, in most cases their economic life-blood remains the practice of extortion.<sup>49</sup> The point here is that, overall, there are a number of strong parallels between the *modus operandi* of these gangs and the *modus operandi* of many non-State armed groups in armed conflicts.

<sup>44</sup> T. Molina, Pandilleros de El Salvador superan en número a efectivos de seguridad, *Panam*, 23 October 2015, <http://es.panampost.com/thabata-molina/2015/10/23/pandilleros-de-el-salvador-superan-en-numero-a-efectivos-de-seguridad/>

<sup>45</sup> Profile: FARC, *Insight Crime*, undated, <http://www.insightcrime.org/colombia-organized-crime-news/farc-profile>

<sup>46</sup> The territorial control of different gangs in San Salvador, El Salvador, in late 2015 has been mapped out. See -, Maras controlan la capital salvadoreña, *El Diario de Hoy*, 19 December 2015, <http://www.elsalvador.com/articulo/sucesos/maras-controlan-capital-salvadorena-96558>

<sup>47</sup> Insight Crime/ASJ, *Gangs in Honduras*; Cantor, *The New Wave*, pp. 39-41, 45-48; United Nations Office on Drugs and Crime (UNODC), *Transnational Organized Crime in Central America and the Caribbean: A Threat Assessment*, September 2012, <http://www.refworld.org/docid/569f3aaa4.html>, p. 28.

<sup>48</sup> *Ibid.* See also O. Martínez, Los salvadoreños cruzan fronteras de guerra a diario, *Sala Negra de El Faro*, 4 January 2016, <http://www.elfaro.net/es/201601/salanegra/17702/Los-salvadore%C3%B1os-cruzan-fronteras-de-guerra-a-diario.htm>

<sup>49</sup> Cantor, *The New Wave*, p. 40; Insight Crime/ASJ, *Gangs in Honduras*, 19-20, 30-31. See also, for example, J. Santos, Pandilleros tienen sitiado Mejicanos, *La Prensa Gráfica*, 18 June 2013, <http://www.laprensagrafica.com/pandilleros-tienen-sitiado-mejicanos>. However, there are indications that some MS-affiliated local gangs in San Pedro Sula, Honduras, may be moving away from extortion as a principal source of income. See D. Farah, Central American Gangs as a «Wicked Problem», Center for Strategic and International Studies, 24 November 2015, <http://csis.org/blog/central-american-gangs-wicked-problem>

Most of the violent street gangs in the Northern Triangle are affiliated to one of two rival supra-national gang structures. These are the so-called ‘*maras*’ of the *Mara Salvatrucha* (MS or MS-13) and *Barrio-18* (Eighteenth Street Gang or B-18).<sup>50</sup> These gang structures were also imported into Central America from the United States of America (where they continue to exist) with the deportations of the 1990s.<sup>51</sup> However, with the passage of time, the leadership of these gang structures has now shifted towards Central America such that orders flow north to the United States of America, rather than vice-versa.<sup>52</sup> In recent years, the presence of these supra-national structures has also been documented in Europe and in other parts of Latin America.<sup>53</sup>

The supra-national gang structures of the *Mara Salvatrucha* and *Barrio-18* are enemies to the death and local street gangs affiliated with one or other structure violently dispute the control of territories and populations in a similar way to that of armed actors in an armed conflict.<sup>54</sup> In some Northern Triangle countries, these affiliated local gangs are also increasingly well-armed, as with the recent prevalence of assault rifles and other military-grade hardware among Salvadorian gang members,<sup>55</sup> suggesting another important point of similarity with non-State armed groups in scenarios of low-intensity armed conflict.

Although the highly localised Northern Triangle gangs operate principally at the neighbourhood level, the supra-national structures of the *Mara Salvatrucha* and *Barrio-18* allow some level of national, and even international, coordination among affiliated local gangs. The effect of this capacity for a degree of coordination is seen most clearly in the (now failed) gang truce that was negotiated between the rival

<sup>50</sup> See, Profile: Mara Salvatrucha (MS13), *Insight Crime*, undated, <http://www.insightcrime.org/el-salvador-organized-crime-news/mara-salvatrucha-ms-13-profile/>; Profile: Barrio 18, *Insight Crime*, undated, <http://www.insightcrime.org/honduras-organized-crime-news/barrio-18-honduras/>; S. Dudley, Barrio 18 in El Salvador: A View from the Inside, *Insight Crime*, 25 March 2015, <http://www.insightcrime.org/news-analysis/barrio-18-el-salvador-view-from-inside/>; Insight Crime/ASJ, *Gangs in Honduras*.

<sup>51</sup> J.L. Sanz and C. Martínez, La letra 13, *Sala Negra de El Faro*, 8 August 2013, <http://www.salanegra.elfaro.net/es/201208/cronicas/9302/>; C. Martínez and J.L. Sanz, El origen del odio, *Sala Negra de El Faro*, 6 August 2012, <http://www.salanegra.elfaro.net/es/201208/cronicas/9301/>

<sup>52</sup> H. Silva Ávalos, El Viejo Santos y la revitalización de las clicas de Maryland, *Revista Factum*, 13 July 2015, <http://revistafactum.com/el-viejo-santos-y-la-revitalizacion-de-las-clicas-de-maryland/>

<sup>53</sup> D. Farah and P. Philips Lum, *Central American Gangs and Transnational Criminal Organizations*, 24 February 2013, [http://www.strategycenter.net/docLib/20130224\\_CenAmGangsandTCOs.pdf](http://www.strategycenter.net/docLib/20130224_CenAmGangsandTCOs.pdf)

<sup>54</sup> Cantor, *The New Wave*, pp. 49-50. See also E. Lemus, Inversiones Barrio 18 S.A. DE C.V., *El Faro*, 24 May 2015, <http://www.especiales.elfaro.net/es/extorsion/investigaciones/17007/Inversiones-Barrio-18-SA-DE-CV.htm>

<sup>55</sup> C. Martínez, Más represión, más asesinatos, más armas, más reclutamientos, *Sala Negra de El Faro*, 20 September 2015, <http://www.salanegra.elfaro.net/es/201509/cronicas/17376/M%C3%A1s-represi%C3%B3n-m%C3%A1s-asesinatos-m%C3%A1s-armas-m%C3%A1s-reclutamientos.htm>; Pandilleros se arman mejor que la Policía salvadoreña, *La Página*, 21 April 2014, <http://www.lapagina.com.sv/nacionales/94792/2014/04/20/Policias-piden-mejores-condiciones-ante-constant-ataques-de-pandilleros>

gangs (and joined by others) in El Salvador.<sup>56</sup> There are indications that some sectors within the gangs are also becoming increasingly political in their vision, language, demands etc.<sup>57</sup> Moreover, in El Salvador, the *Mara Salvatrucha* now engages in sporadic hostilities with the State authorities,<sup>58</sup> assassinating police and military personnel in a way reminiscent of the FARC-EP in Colombia.

Overall, we can conclude that the powerful street gangs of El Salvador, Honduras and Guatemala are a key factor in the deadly violence currently afflicting these countries. Moreover, in both their form and *modus operandi*, there are strong parallels between these Northern Triangle street gangs and non-State armed groups in contemporary situations of armed conflict. The comparison is not merely superficial since the numbers of members of these gangs and their extensive distribution across the territories of the Northern Triangle countries is on a par with the strength and territorial spread of some non-State armed groups in conflict situations. This fact orients the present enquiry to consider next the role of the State in the dynamics of forced displacement that ensue.

### 3. State protection and forced displacement

So what then of the protection offered by the State authorities of Northern Triangle countries faced with the violence of the gangs? In short, the principal strategy of successive governments in these countries over the past decade has been to attempt to subdue the gangs through a *mano dura* (firm hand) approach, i.e. fighting fire with fire.<sup>59</sup> However, this strategy is increasingly acknowledged as ineffective (and possible even counterproductive, giving gangs the impetus to better organise), as the levels of violence rise and the gangs expand their presence across the territories of these countries.<sup>60</sup> Just in El Salvador, the conviction rate remains around 5 per cent and

<sup>56</sup> S. Dudley, El Salvador's Gang Truce: Positives and Negatives, *Insight Crime*, 11 June 2013, <http://www.insight-crime.org/investigations/el-salvadors-gang-truce-positives-and-negatives>

<sup>57</sup> D. Farah, Central American Gangs as a «Wicked Problem»; D. Marroquín, Maras proliferan en San Salvador, *El Diario de Hoy*, 29 January 2015, <http://www.elsalvador.com/articulo/sucesos/maras-proliferan-san-salvador-72783>

<sup>58</sup> *Ibid.* See also C. Martínez, Más represión; -, Policías y soldados han repelido 251 ataques de pandillas, *El Mundo*, 15 May 2015, <http://elmundo.com.sv/policias-y-soldados-han-repelido-251-ataques-de-pandillas/>; J. Santos, Pandilla en La Libertad ordena matar dos policías por clica, *La Prensa Gráfica*, 8 April 2015, <http://www.laprensa-grafica.com/2015/04/08/pandilla-en-la-libertad-ordena-matar-dos-policias-por-clica#sthash.6NY6nlbG.dpuf>

<sup>59</sup> C. Ribando Seelke, Gangs in Central America, *Congressional Research Service*, 20 February 2014, <https://www.fas.org/sgp/crs/row/RL34112.pdf>; United Nations Development Programme (UNDP), *Regional Human Development Report 2013-14: Citizen Security with a Human Face – Evidence and Proposals for Latin America*, 2013, pp. 181-184, [http://hdr.undp.org/sites/default/files/citizen\\_security\\_with\\_a\\_human\\_face\\_-\\_executivesummary.pdf](http://hdr.undp.org/sites/default/files/citizen_security_with_a_human_face_-_executivesummary.pdf)

<sup>60</sup> C. García, Tracing the History of Failed Gang Policies in US, Northern Triangle, *Insight Crime*, 3 December 2015, <http://www.insightcrime.com/news-analysis/tracing-the-history-of-failed-gang-policies-in-us-northern-triangle>; S. Dudley, How «Mano Dura» Is Strengthening Gangs, *Insight Crime*, 21 November 2010, <http://www.insightcrime.org/investigations/how-mano-dura-is-strengthening-gangs>

the segregation of *Mara Salvatrucha* and *Barrio-18* in jails has turned the prisons into a school and coordination centre for incarcerated gang members.<sup>61</sup>

The deficiencies in protection are not only a question of capacity. Corruption of State officials is widespread in the Northern Triangle countries and there are regular scandals concerning the infiltration of the police and military – even specialised units – by the gangs.<sup>62</sup> This exacerbates the lack of confidence in the authorities among victims of the gangs. Thus, for instance, a recent study reported that 84 per cent of businesses surveyed in El Salvador did not report gang extortion demands to the authorities for fear that the complaint would be filtered back to the gangs.<sup>63</sup> Recent reports also point to the emergence of death squads with links to the State security forces.<sup>64</sup>

In recent years, this situation has begun to generate significant levels of forced displacement in the Northern Triangle countries. Official statistics concerning forced internal displacement that were collected towards the end of 2014 as part of an innovative study by the Honduran government show that the 20 municipalities surveyed (out of around 300 municipalities at the national level) were home to approximately 174,000 displaced persons.<sup>65</sup> Proportionally, this equates to approximately four per cent of the population of the municipalities surveyed having identified themselves as internally displaced.<sup>66</sup> Among those displaced, 7.5 per cent reported having been displaced twice and 2.1 per cent were displaced three times.<sup>67</sup> The official statistics also describe the pattern of displacement in greater detail, including an important confirmation of the assumption that a significant proportion of the forced displacement caused by criminal violence in Honduras is urban-urban in character.<sup>68</sup>

By contrast, in El Salvador – arguably the country most affected by the gangs – no official data yet exist. Nonetheless, an academic survey showed that in 2012 around 2.1 per cent of respondents were displaced within the country by criminal threats

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<sup>61</sup> *Ibid.*

<sup>62</sup> S. Bello, Eugenio Chicas reconoce infiltración de pandillas en policía y ejército, *La Prensa Gráfica*, 12 December 2015, <http://www.laprensagrafica.com/2015/12/12/eugenio-chicas-reconoce-infiltracion-de-pandillas-en-policia-y-ejercito>; D. Marroquín, 393 pandilleros lograron infiltrar la Fuerza Armada, *El Diario de Hoy*, 29 November 2015, <http://www.elsalvador.com/articulo/sucesos/393-pandilleros-lograron-infiltrar-fuerza-armada-94591>

<sup>63</sup> R.M. Pérez, Medianas, pequeñas y micro empresas piden más seguridad, *ContraPunto*, 30 January 2014, <http://www.contrapunto.com.sv/coyuntura/medianas-pequenas-y-micro-empresas-piden-mas-seguridad>

<sup>64</sup> Atribuyen a grupos de exterminio 14 muertes en varias zonas del país, *El Diario de Hoy*, 8 November 2015, <http://www.elsalvador.com/articulo/sucesos/atribuyen-grupos-exterminio-muertes-varias-zonas-del-pais-92556>

<sup>65</sup> Joint IDP Profiling Service (JIPS), *Characterisation of Internal Displacement in Honduras*, November 2015, [http://www.jips.org/system/cms/attachments/1050/original\\_Profiling\\_ACNUR\\_ENG.pdf](http://www.jips.org/system/cms/attachments/1050/original_Profiling_ACNUR_ENG.pdf), p. 31.

<sup>66</sup> *Ibid.*, p. 32.

<sup>67</sup> *Ibid.*, p. 37.

<sup>68</sup> *Ibid.*, pp. 40–42.

*in that year alone.*<sup>69</sup> This would equate to approximately 130,000 persons if scaled up to the national level. A third of those displaced reported two or more displacements in that single year.<sup>70</sup> Yet the same survey, repeated in 2014, reported that an astounding total of 4.6 per cent of respondents had displaced in just 2014 (approximately 275,000 persons if scaled up to the national population),<sup>71</sup> with 1.8 per cent of those displaced reporting *six or more* displacements in that year alone.<sup>72</sup> For comparison, even in the worst years of the Colombian conflict, the annual rate of population displacement did not exceed 1.4 per cent of the total population of Colombia.<sup>73</sup>

However, in contrast with conflict-displacement scenarios such as Colombia, where the dynamics of the armed confrontation have sometimes produced highly visible mass displacement of entire sectors or villages, forced displacement due to gang violence in the Northern Triangle is largely invisible to outside observers.<sup>74</sup> This is a displacement that usually takes place *gota-a-gota* (drop by drop), person-by-person, family-by-family, and is thus not easily identified by outsiders, especially due to the continuing fear of displaced persons about identifying themselves as having had problems with the gangs. Nonetheless, the humanitarian impact of this silent wave of displacement in – and from – these countries is substantial both for the displaced persons themselves and for the (usually poor) communities that end up hosting them.<sup>75</sup>

The fact that such displacements appear to be predominantly internal at present cannot obscure the tendency for increasing numbers of people from the Northern Triangle to flee in search of refugee protection in other countries. Taking El Salvador as an example, we can see that the number of asylum applications by Salvadorians has climbed steadily over the past five years, with 11,742 applications lodged in 2014, almost twice the number lodged in 2013 and three times the number lodged in 2010.<sup>76</sup>

<sup>69</sup> Instituto Universitario de Opinión Pública (IUDOP), *Encuesta de evaluación del año 2012*, December 2012, <http://www.uca.edu.sv/publica/iudop/archivos/informe131.pdf>, p. 35, cuadro 37.

<sup>70</sup> *Ibid.*, p. 35a, cuadro 38.

<sup>71</sup> IUDOP, Evaluación del país a finales de 2014, *Boletín de prensa*, No. 5, December 2014, <http://www.uca.edu.sv/iudop/wp-content/uploads/144.pdf>, p. 10, cuadro 25.

<sup>72</sup> *Ibid.*, p. 10, cuadro 26.

<sup>73</sup> 2002 was the year with the highest reported figure of new displacements in Colombia, with an estimated 594,377 persons displaced (Internal Displacement Monitoring Centre, *Displacement Continues Despite Hopes for Peace*, 2014, <http://www.internal-displacement.org/americas/colombia/2014/displacement-continues-despite-hopes-for-peace>). This represents approximately 1.4 per cent of the estimated population that year in Colombia of 41 million persons.

<sup>74</sup> For detailed analysis of the patterns of displacement, see Cantor, *The New Wave*, pp. 52–61.

<sup>75</sup> *Ibid.* See also JIPS, *Characterisation of Internal Displacement in Honduras*, pp. 50–64.

<sup>76</sup> Figures from UNHCR, *UNHCR Global Trends 2014: World at War*, 18 June 2015, <http://www.refworld.org/docid/55829294.html>, Annex, Table 11; UNHCR, *UNHCR Statistical Yearbook 2013*, 13th edition, 2 February 2015, <http://www.refworld.org/docid/54d369094.html>, Annex, Table 11; UNHCR, *UNHCR Statistical Yearbook 2010: Trends in Displacement, Protection and Solutions*, 27 December 2011, <http://www.refworld.org/docid/4f06ecf72.html>, Annex, Table 11.

A similar tendency exists for asylum claims from Honduran and Guatemalan asylum-seekers.<sup>77</sup>

The vast majority of claims by Northern Triangle nationals are made in the USA (where a large diaspora exists), although a high proportion of the claims received by certain Latin American countries were also made by Northern Triangle nationals.<sup>78</sup> Many of these claims are lodged by adults.<sup>79</sup> Nonetheless, from 2011 onwards, the southern border of the USA has also seen a surge in unaccompanied child arrivals from the Northern Triangle countries, many of whom claimed asylum.<sup>80</sup> Interview data from 2013 indicate that 72 per cent of the children from El Salvador left because of social violence, with 63 per cent specifying gangs as the source of harm.<sup>81</sup> For comparison, the same data records social violence as a factor promoting the flight of the child interviewees in 33 per cent of cases from Honduras and 20 per cent of cases from Guatemala.<sup>82</sup> Tellingly, the different percentages appear broadly to reflect the differing extent of the relative territorial presence of the gangs in the respective countries.<sup>83</sup>

In summary, the current epidemic of organised criminal violence in the Northern Triangle, combined with the inability of the authorities to provide an effective response to victims, has produced a corresponding humanitarian crisis of forced displacement in and from those countries, which is only just starting to be properly documented in El Salvador and Honduras. On the basis of the preliminary data, the incidence of forced displacement among the affected population looks high,

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<sup>77</sup> *Ibid.*

<sup>78</sup> UNHCR, *UNHCR Global Trends 2014: World at War*, 18 June 2015, <http://www.refworld.org/docid/558292924.html>, Annex, Tables 11 and 12.

<sup>79</sup> From 2009 onwards there has been an increase in the number of Northern Triangle adults claiming asylum. See UNHCR, *Children on the Run: Unaccompanied Children Leaving Central America and Mexico and the Need for International Protection*, 13 March 2014, <http://www.refworld.org/docid/532180c24.html>, p. 4.

<sup>80</sup> UNHCR, *Children on the Run: Unaccompanied Children Leaving Central America and Mexico and the Need for International Protection*, 13 March 2014, <http://www.refworld.org/docid/532180c24.html>; D.J. Cantor, Gangs: The Real «Humanitarian Crisis» Driving Central American Children to the US, *The Conversation*, 22 August 2014, <https://theconversation.com/gangs-the-real-humanitarian-crisis-driving-central-american-children-to-the-us-30672>

<sup>81</sup> In some cases, multiple motives were mentioned by the children interviewed. See UNHCR, *Children on the Run: Unaccompanied Children Leaving Central America and Mexico and the Need for International Protection*, 13 March 2014, <http://www.refworld.org/docid/532180c24.html>, pp. 31-32.

<sup>82</sup> *Ibid.*, pp. 35-36.

<sup>83</sup> D.J. Cantor, Gangs: The Real 'Humanitarian Crisis' Driving Central American Children to the US, *The Conversation*, 22 August 2014, <https://theconversation.com/gangs-the-real-humanitarian-crisis-driving-central-american-children-to-the-us-30672>. More recent data from children interviewed in Mexico confirms violence and insecurity as an important push factor in the migration of Northern Triangle children encountered in Mexico. However, although it does not provide data on the different forms of harm underpinning this factor, that study suggests that this factor is most accentuated for Honduran children interviewed. See UNHCR, *Arrancados de raíz*, November 2014, <http://www.acnur.org/t3/fileadmin/scripts/doc.php?file=t3/fileadmin/Documentos/Publicaciones/2014/9828>, pp. 46-51.

probably comparable to those seen in other contemporary armed conflicts around the globe. The situation of those displaced is a cause for real concern, not only due to their challenging humanitarian situation but also due to the personal danger that they face from the continuing violence of the gangs.

#### 4. The challenge of protection

In the face of the urgent protection concerns of the displaced population in the Northern Triangle, it is worrying that Honduras is thus far the only country to have officially recognised the issue of internally displaced persons and instigated processes to estimate their numbers and profile those affected, although no dedicated protection policy yet exists.<sup>84</sup> By contrast, El Salvador and Guatemala have not even officially recognised the existence of internally displaced persons in their countries. As such, real protection options for internally displaced persons (and indeed other victims of gang violence) within the countries of the Northern Triangle are presently somewhat limited. This situation has a number of important implications for the future.

Firstly, the present lack of protection in-country highlights the importance of ensuring the availability of international protection in the form of asylum for persons fleeing from the violence of the gangs in El Salvador, Honduras and Guatemala. The violence in the Northern Triangle and the lack of national protection constitute strong elements for substantiating a claim for international protection. Nonetheless, the particularity of this situation —i.e. the criminal nature of the violence— has the potential to generate conceptual challenges around whether persons fleeing from these situations fall within the scope of the refugee definition in Article 1A(2) of the 1951 Convention relating to the Status of Refugees (in light of the 1967 Protocol).<sup>85</sup> The planned publication in 2016 of UNHCR eligibility guidelines relating to persons fleeing Northern Triangle countries should help to guarantee that the organised, extreme and highly discriminate nature of the persecutory violence inherent in these situations is properly recognised as such by refugee decision-makers and not simply dismissed as *ad hoc* criminality.

<sup>84</sup> In 2013, Honduras established a *Comisión Interinstitucional para la Protección de Las Personas Desplazadas por la Violencia* (Inter-Institutional Commission for the Protection of Persons Displaced by Violence). This entity of the Honduran government, in collaboration with the Joint IDP Profiling Service, recently carried out and published a first survey on internally displaced persons in Honduras. See JIPS, *Characterisation of Internal Displacement in Honduras*.

<sup>85</sup> For recent discussions of this issue, see N. Rodríguez Serna, Fleeing Cartels and Maras: International Protection Considerations and Profiles from the Northern Triangle, *International Journal of Refugee Law*, Vol. 28, 2016; S. Reynolds, Persecución, política y protección en Estados Unidos: encontrando un refugio frente al crimen organizado en las Américas, in D.J. Cantor and N. Rodríguez Serna (eds.), *Los nuevos desplazados: crimen y desplazamiento en América Latina*, ILAS 2015,

Secondly, at the regional level, the existence of pressing protection challenges for persons displaced within the borders of their countries and beyond by gangs and other organised criminal groups in the Northern Triangle has been expressly recognised by the 2014 Brazil Declaration and its ten-year Plan of Action.<sup>86</sup> This framework, adopted by Latin American and Caribbean governments as a follow-on from the 1984 Cartagena Declaration,<sup>87</sup> represents a milestone in that it is the first international instrument ever to recognise the issue of displacement caused by organised crime. In particular, Chapter Four of the Plan of Action proposes the creation of three regional programmes to respond to the challenge of organised crime-induced forced displacement: an observatory body to monitor these issues; a 'prevention' programme; and a 'safe and dignified transit' programme.<sup>88</sup>

The utility of developing a priority resettlement scheme and/or a humanitarian visa scheme to allow evacuation of the most urgent cases of persecution would also be worth considering and, in fact, is perhaps hinted at in passing by the Brazil Plan of Action in its proposal that a current resettlement priority is to:

[b.] ii. Cooperate with the three countries of the Northern Triangle given their vulnerability to the activities of transnational organized crime. [...]

iv. Demonstrate solidarity with international humanitarian crises through either the use of humanitarian visas or resettlement quotas.<sup>89</sup>

From 2014, in response to the surge of unaccompanied children from the Northern Triangle at its southern border, the USA (which is not a signatory to the Brazil Declaration and Plan of Action) also initiated a 'Central American Minors Refugee / Parole Program' to carry out in-country processing of applications by children with protection needs in the countries of the Northern Triangle.<sup>90</sup> Another similar programme also focused on the Northern Triangle countries appears currently to be under consideration by the same government.

<sup>86</sup> *Brazil Declaration and Plan of Action*, 3 December 2014, <http://www.refworld.org/docid/5487065b4.html>

<sup>87</sup> *Cartagena Declaration on Refugees*, 22 November 1984, <http://www.unhcr.org/45dc19084.html>

<sup>88</sup> *Brazil Plan of Action*, Chapter Four. For further discussion of the Brazil Plan of Action Chapter Four programmes and their implementation, see D.J. Cantor, 'La protección internacional de las personas desplazadas por el crimen organizado: el marco legal y las políticas públicas en América Latina', in D.J. Cantor and N. Rodríguez Serna (eds.), *Los nuevos desplazados: crimen y desplazamiento en América Latina*, ILAS 2015, pp. 176-181; UNHCR, *Plan de Acción de Brasil (PAB) - Un año de implementación*, 2015, <http://www.acnur.org/t3/que-hace/proteccion/declaracion-de-cartagena-sobre-los-refugiados/plan-de-accion-de-brasil-pab-un-ano-de-implementacion/un-ano-de-implementacion-del-pab-centroamerica/>

<sup>89</sup> *Brazil Plan of Action*, Chapter Three. The express recommendation in an earlier draft of the document of the use of humanitarian evacuation as a protection mechanism for particularly at-risk individuals in the Northern Triangle was apparently toned down at the instigation and insistence of just one South American country.

<sup>90</sup> For an early analysis of the programme, see F. Hipsman and D. Meissner, In-Country Refugee Processing in Central America: A Piece of the Puzzle, *Migration Policy Institute Policy Briefs*, 2015, <http://www.migrationpolicy.org/sites/default/files/publications/In-Country-Processing-FINALWEB.pdf>



Thirdly, there is clearly a need also to develop national frameworks in the affected countries to address (at least) the humanitarian needs of internally displaced persons.<sup>91</sup> At the same time, in view of the severe resource constraints under which the governments of the Northern Triangle countries operate, it is equally important to scale up the in-country humanitarian response on the part of international agencies and others. The few already operating small assistance programmes in this context – such as the International Committee of the Red Cross and *Médecins San Frontières* – appear to base their approach on that used in conflict situations. Indeed, as outlined in the sections above, there are many strong parallels in the operating context.

However, the situation of organised criminality in the Northern Triangle does present a number of additional challenges. Firstly, the aid context is predominantly urban, with all of the complexities which that brings in terms of access, differentiated population etc.<sup>92</sup> Secondly, the nature of the gangs and their violence does present certain challenges, especially in relation to humanitarian interlocution which is complicated by the gangs' criminal status, lack of clear political objectives, lack of a coherent command/discipline structure at the national level (they are highly localised) and rapidly shifting alliances and territorial boundaries. Their swift recourse to violence also complicates the idea of preventing displacement, which may amount to a death sentence, and their capacity for infiltration and suspicion of informants means that a strategy that involves identifying IDPs is likely to be inappropriate. Finally, the relative lack of presence by international agencies in the Northern Triangle countries presently poses a real challenge too.

## 5. Conclusion

Intense interest accompanies the current refugee movement in Europe. By contrast, the extreme violence and pervasive displacement in and from the impoverished countries of the Northern Triangle of Central America is barely starting to register on the international agenda of government policy-makers, journalists, humanitarian workers and scholars. The reasons for this discrepancy are not hard to fathom.

<sup>91</sup> For a discussion of how victim justice laws might be used to address the protection needs of persons displaced by organised criminal groups, drawing on the Colombian and Mexican practice, see N. Rodríguez Serna and J.F. Durieux, *Los desplazados como víctimas del crimen organizado: una mirada comparativa a México y Colombia*, in D.J. Cantor and N. Rodríguez Serna (eds.), *Los nuevos desplazados: crimen y desplazamiento en América Latina*, ILAS 2015.

<sup>92</sup> For a useful overview and discussion of these challenges, see E. Lucchi, *Humanitarian Interventions in Settings of Urban Violence*, *ALNAP Lessons Paper*, January 2014, <http://www.alnap.org/resource/9810>

Nonetheless, it is necessary to redress the balance and, as such, this article aims to provide a small reminder that the impact of the Syrian conflict on European countries is not the only forced displacement crisis in the world today. Away from the cameras and international media and policy interest, there are many other countries that are struggling with terrible humanitarian and displacement challenges of comparable impact.

This article serves to highlight the main contemporary challenge in the region of the Americas where the readership of *Agenda Internacional* is based. This takes the form of organised criminal violence by the powerful gangs of the Northern Triangle of Central America, which has provoked a silent wave of forced displacement in these countries and a humanitarian crisis among their populations. Indeed, one of the key contentions of this article is that the epidemic of violence in El Salvador, Honduras and, to a lesser degree, Guatemala is as deadly, or *more deadly*, than many contemporary armed conflicts. Not only that, but the nature of these non-State actors, their *modus operandi* and discriminate use of extreme violence, as well as the response of the State authorities, bears a strong family resemblance to many contemporary contexts of internal armed conflict.

Turning to the impact on the populations of those countries, the scale of displacement and the level of the humanitarian needs of those displaced also seem to be comparable to that in vicious situations of armed conflict in poor countries. What is more, the challenges of carrying out humanitarian and protection work with displaced persons and host communities in these complex and violent contexts should not be underestimated. As such, whilst such in-country efforts are necessary in both the short- and medium-term, we must ensure equally that international refugee law is applied to persons fleeing from these countries with a proper appreciation by decision-makers of the gravity and nature of the situation of violence currently prevailing there. Ultimately, the *aegis* of refugee law remains the last resort for persecuted and desperate individuals from countries where extreme violence prevails and national protection fails, whether they are in Europe or in the Americas.

## Bibliography

- Cantor, D.J. (2015). La protección internacional de las personas desplazadas por el crimen organizado: el marco legal y las políticas públicas en América Latina, in D.J. Cantor and N. Rodríguez Serna (eds.), *Los nuevos desplazados: crimen y desplazamiento en América Latina*. London: ILAS.
- Cantor, D.J. (2014). Gangs: The Real «Humanitarian Crisis» Driving Central American Children to the US, *The Conversation*, 22 August 2014, <https://theconversation.com/gangs-the-real-humanitarian-crisis-driving-central-american-children-to-the-us-30672>.
- Cantor, D.J. (2014). The New Wave: Forced Displacement Caused by Organized Crime in Central America and Mexico, *Refugee Survey Quarterly*, No. 33.
- Dudley, S. (2015). La evolución del crimen y la violencia en América Latina y el Caribe, in D.J. Cantor and N. Rodríguez Serna (eds.), *Los nuevos desplazados: crimen y desplazamiento en América Latina*. London: ILAS.
- Dudley, S. (2015). Barrio 18 in El Salvador: A View from the Inside, *Insight Crime*, 25 March 2015, <http://www.insightcrime.org/news-analysis/barrio-18-el-salvador-view-from-inside>; Insight Crime/ASJ, Gangs in Honduras.
- Farah, D. (2015). *Central American Gangs as a «Wicked Problem»*, Center for Strategic and International Studies, 24 November 2015, <http://csis.org/blog/central-american-gangs-wicked-problem>
- Farah, D. (1995). U.S.-Style Gangs in El Salvador Build Free Trade in Crime, *Washington Post*, 28 August 1995, <https://www.washingtonpost.com/archive/politics/1995/08/28/us-style-gangs-build-free-trade-in-crime/2f6cb1ed-2e82-4fa6-96da-0848f0f9d827/>
- Farah, D. and P. Philips Lum (2013). *Central American Gangs and Transnational Criminal Organizations*, 24 February 2013, [http://www.strategycenter.net/docLib/20130224\\_CenAmGangsandTCOs.pdf](http://www.strategycenter.net/docLib/20130224_CenAmGangsandTCOs.pdf)
- Fundaungo (2013). *Atlas de la violencia en El Salvador (2009-2012)*, November 2013, [http://fundaungo.org.sv/pdf/2014/Atlas\\_de\\_violencia.pdf](http://fundaungo.org.sv/pdf/2014/Atlas_de_violencia.pdf)
- Garlick, M. (2016). *Solidarity or self-interest? The EU's common asylum policy - between politics and desperation*, presentation delivered to the 6th Annual RLI Seminar Series on International Refugee Law, at Refugee Law Initiative, University of London, London, United Kingdom, 4 February 2016.
- Geneva Declaration on Armed Violence and Development (GDAVD) (2015). *Global Burden of Armed Violence 2015: Every Body Counts*, October 2015.
- Hipsman, F. and D. Meissner (2015). *In-Country Refugee Processing in Central America: A Piece of the Puzzle*, Migration Policy Institute Policy Briefs, 2015, <http://www.migrationpolicy.org/sites/default/files/publications/In-Country-Processing-FINALWEB.pdf>
- Insight Crime/Asociación para una Sociedad más Justa (ASJ) (2015). *Gangs in Honduras*, 20 November 2015, <http://www.insightcrime.org/images/PDFs/2015/HondurasGangs.pdf>

- Instituto Universitario de Opinión Pública (IUDOP) (2014). Evaluación del país a finales de 2014, *Boletín de prensa*, No. 5, December 2014, <http://www.uca.edu.sv/iudop/wp-content/uploads/144.pdf>
- Instituto Universitario de Opinión Pública (IUDOP), (2012). *Encuesta de evaluación del año 2012*, December 2012, <http://www.uca.edu.sv/publica/iudop/archivos/informe131.pdf>
- Inter-American Commission on Human Rights (IACHR) (2015). *Violencia contra personas lesbianas, gays, bisexuales, trans e intersex en América*, 12 November 2015, OAS/Ser.L/V/II.rev.1, <http://www.refworld.org/docid/56669c6f4.html>, paras. 279-281.
- Joint IDP Profiling Service (JIPS) (2015). *Characterisation of Internal Displacement in Honduras*, November 2015, [http://www.jips.org/system/cms/attachments/1050/original\\_Profiling\\_ACNUR\\_ENG.pdf](http://www.jips.org/system/cms/attachments/1050/original_Profiling_ACNUR_ENG.pdf)
- Lemus, E. (2015). Inversiones Barrio 18 S.A. DE C.V., *El Faro*, 24 May 2015, <http://www.especiales.elfaro.net/es/extorsion/investigaciones/17007/Inversiones-Barrio-18-SA-DE-CV.htm>
- Lucchi, E. (2014). Humanitarian Interventions in Settings of Urban Violence, *ALNAP Lessons Paper*, January 2014, <http://www.alnap.org/resource/9810>
- Marroquín, A. (2015). Pandillas en el Triángulo Norte de Centroamérica: narrativas y tránsitos, in D.J. Cantor and N. Rodríguez Serna (eds.), *Los nuevos desplazados: crimen y desplazamiento en América Latina*. London: ILAS.
- ‘Más represión, más asesinatos, más armas, más reclutamientos’, *Sala Negra de El Faro*, 20 September 2015, <http://www.salanegra.elfaro.net/es/201509/cronicas/17376/M%C3%A1s-represi%C3%B3n-m%C3%A1s-asesinatos-m%C3%A1s-armas-m%C3%A1s-reclutamientos.htm>
- Martínez, C. and J.L. Sanz (2012). El origen del odio, *Sala Negra de El Faro*, 6 August 2012, <http://www.salanegra.elfaro.net/es/201208/cronicas/9301/>
- Martínez, C. and J.L. Sanz (2011). ‘El juego del parque Libertad’, *Sala Negra de El Faro*, 17 October 2011, <http://www.salanegra.elfaro.net/es/201110/cronicas/5650/>
- Martínez, O. (2016). Los salvadoreños cruzan fronteras de guerra a diario, *Sala Negra de El Faro*, 4 January 2016, <http://www.elfaro.net/es/201601/salanegra/17702/Los-salvadore%C3%B1os-cruzan-fronteras-de-guerra-a-diario.htm>
- Reynolds, S. (2015). Persecución, política y protección en Estados Unidos: encontrando un refugio frente al crimen organizado en las Américas, in D.J. Cantor and N. Rodríguez Serna (eds.), *Los nuevos desplazados: crimen y desplazamiento en América Latina*. London: ILAS.
- Ribando Seelke, C. (2014). Gangs in Central America, *Congressional Research Service*, 20 February 2014, <https://www.fas.org/sgp/crs/row/RL34112.pdf>
- Rodríguez Serna, N. (2016). Fleeing Cartels and Maras: International Protection Considerations and Profiles from the Northern Triangle, *International Journal of Refugee Law*, Vol. 28.
- Rodríguez Serna, N. and J.F. Durieux (2015). Los desplazados como víctimas del crimen organizado: una mirada comparativa a México y Colombia, in D.J. Cantor and N.

- Rodríguez Serna (eds.), *Los nuevos desplazados: crimen y desplazamiento en América Latina*. London: ILAS.
- Sanz J.L. and C. Martínez (2013). La letra 13, *Sala Negra de El Faro*, 8 August 2013, <http://www.salanegra.elfaro.net/es/201208/cronicas/9302>
- United Nations Development Programme (UNDP) (2013). *Regional Human Development Report 2013-14: Citizen Security with a Human Face – Evidence and Proposals for Latin America, 2013*, [http://hdr.undp.org/sites/default/files/citizen\\_security\\_with\\_a\\_human\\_face\\_-\\_executivesummary.pdf](http://hdr.undp.org/sites/default/files/citizen_security_with_a_human_face_-_executivesummary.pdf)
- United Nations High Commissioner for Refugees (UNHCR) (2015). *Plan de Acción de Brasil (PAB) Un año de implementación, 2015*, <http://www.acnur.org/t3/que-hace/proteccion/declaracion-de-cartagena-sobre-los-refugiados/plan-de-accion-de-brasil-pab-un-ano-de-implementacion/un-ano-de-implementacion-del-pab-centroamerica/>
- United Nations High Commissioner for Refugees (UNHCR) (2014). *Arrancados de raíz, November 2014*, <http://www.acnur.org/t3/fileadmin/scripts/doc.php?file=t3/fileadmin/Documentos/Publicaciones/2014/9828>
- United Nations High Commissioner for Refugees (UNHCR) (2014). *Children on the Run: Unaccompanied Children Leaving Central America and Mexico and the Need for International Protection*, 13 March 2014, <http://www.refworld.org/docid/532180c24.html>, p. 4.
- United Nations High Commissioner for Refugees (UNHCR) (2015). *UNHCR Global Trends 2014: World at War*, 18 June 2015, <http://www.refworld.org/docid/558292924.html>, 12.
- United Nations High Commissioner for Refugees (UNHCR) (2015). *UNHCR Statistical Yearbook 2013*, 13th edition, 2 February 2015, <http://www.refworld.org/docid/54d369094.html>
- United Nations High Commissioner for Refugees (UNHCR) (2011). *UNHCR Statistical Yearbook 2010: Trends in Displacement, Protection and Solutions*, 27 December 2011, <http://www.refworld.org/docid/4f06ecf72.html>
- United Nations Children's Fund (UNICEF) (2014). *Hidden in Plain Sight: A Statistical Analysis of Violence against Children*, 3 September 2014, [http://files.unicef.org/publications/files/Hidden\\_in\\_plain\\_sight\\_statistical\\_analysis\\_EN\\_3\\_Sept\\_2014.pdf](http://files.unicef.org/publications/files/Hidden_in_plain_sight_statistical_analysis_EN_3_Sept_2014.pdf)
- United Nations Office on Drugs and Crime (UNODC) (2014). *Global Study on Homicide 2013: Trends, Contexts, Data*, 10 April 2014, [https://www.unodc.org/documents/gsh/pdfs/2014\\_GLOBAL\\_HOMICIDE\\_BOOK\\_web.pdf](https://www.unodc.org/documents/gsh/pdfs/2014_GLOBAL_HOMICIDE_BOOK_web.pdf)
- United Nations Office on Drugs and Crime (UNODC) (2012). *Transnational Organized Crime in Central America and the Caribbean: A Threat Assessment*, September 2012, <http://www.refworld.org/docid/569f3aaa4.html>

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